

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

HARRY MILLER,

Defendant.

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ORDER

17-cr-82-wmc

Defendant Harry Miller, through counsel, has filed a motion for miscellaneous relief for potential compassionate release motion. (Dkt. #155.) In so moving, defendant asks the court to order the warden of the Federal Correctional Institution at Greenville to produce: (1) all medical records from 2019 and 2020 concerning the defendant; and (2) any request for compassionate release submitted to that institution. Defendant's counsel also states that he will work with the U.S. Probation Office on a proposed release plan.

The court recognizes that all requests for compassionate release are urgent, and it expects all concerned parties will work expeditiously to resolve them. Nevertheless, the court requires additional information to determine whether Miller has sufficiently exhausted his administrative remedies *and* if there are extraordinary or compelling reasons to grant release. Accordingly, the court will issue this order directing the warden of the inmate's facility to: (1) facilitate receipt of his medical records from 2019 and 2020 documenting any medical condition and level of care; and (2) verify his previous request for compassionate release and the status of that request.

In addition, should Miller file a motion for compassionate release, he is to provide to the U.S. Probation Office the following information:

A proposed release plan, including the address of the residence; family contact information; mode of transportation from prison to the proposed residence; and medical care needed, the provider of care in the community, and the source of funding, should the inmate be released. (The court will consider whether treatment in the community will match care in the Bureau of Prisons, considering that community medical facilities may be providing only emergency care during the Covid-19 pandemic.)

Upon receipt of this information, along with a motion for compassionate release, the U.S. Probation Office will be directed to promptly complete a pre-release investigation and submit a letter of findings to the court, the parties, and to the Bureau of Prisons.

#### ORDER

IT IS ORDERED that the Warden of the Federal Correctional Institution at Greenville is DIRECTED to produce as soon as possible to defendant's counsel, Assistant Public Defender Peter Moyers, and the United States Probation Office for the Western District of Wisconsin (1) all of defendant Harry Miller's medical records from 2019 and 2020 and (2) document reflecting any petitions that he (or someone on his behalf) may have filed requesting compassionate release, as well as any action taken by the BOP on those petitions to date.

Entered this 7th day of May, 2020.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge